

## Provider Agreement

THIS AGREEMENT is entered into by and between Story County, whose mailing address and telephone number is 900 Sixth Street, Nevada, Iowa 50201, telephone 515-382-7200, hereinafter referred to as "County", and the City of Nevada, Iowa, hereinafter referred to as "Provider", whose mailing address and telephone number is 1209 6<sup>th</sup> Street, Nevada, Iowa 50201, telephone 515-382-5466.

1. PURPOSE AND INTENT. The purpose of the agreement is for the Provider to:
  1. Incorporate content from Story County into the Provider's monthly print publication *Our Nevada* as follows:
    - a. monthly as a full color, one page with no advertising; and
    - b. two times annually (March and September tentatively) the front cover along with the monthly page with no advertising.
  2. Print-ready files with content will come from the County Staff to the Provider
2. COMPENSATION. County will pay \$2,000 for calendar year 2022, payable in two installments of 1,000 each upon receipt of invoices from the Provider on or about January 1, 2022, and June 1, 2022.
3. REQUIREMENTS. County and Provider hereby agree to perform all duties in accordance with all state and federal laws and regulations. County and Provider assures that no person shall be on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under this program or activity. Failure to perform duties in accordance with the applicable laws and regulations shall be considered a material breach of this agreement by the Provider.
4. TERM AND TERMINATION OF AGREEMENT. This agreement is effective on the 10<sup>th</sup> day of January, 2022 through December 31, 2022. Either party may terminate this agreement effective immediately for their convenience.
5. ASSIGNMENT. Neither party to this Agreement may assign, sell or transfer any part thereof to any other firm or entity without first obtaining the written permission of the other party hereto.
6. INDEPENDENT CONTRACTOR. It is understood, and the provider agrees that it is an independent professional contractor and that Provider will not in any event be construed or hold itself out to be an employee or agent of the County. It is further agreed that at no time will the Provider or the work efforts of the Provider be under the supervision or control of the County, although Provider agrees to comply with all reasonable requests and regulations applicable to any other business invitee of the County. It is also agreed that Provider, as an independent contractor, is not restricted to working exclusively for the County during the term of the Agreement.
7. APPLICABLE STATE LAW AND WAIVER OF FEDERAL REMOVAL. This Agreement has been negotiated, executed and delivered in the State of Iowa. The parties hereto agree with all questions pertaining to the validity and interpretation of this agreement will be determined in accordance with the

laws of the State of Iowa in Story County, Iowa, with venue in Story County District Court. The parties hereby waive removal of any issue hereunder to the federal courts.

This agreement and referenced attachments constitute the entire contract for this specific project of the parties hereto and supersedes any prior agreement between the parties for this specific project.

STORY COUNTY, IOWA (County)

By:

Chairperson of the Board of Supervisors

Dated: \_\_\_\_\_

CITY OF NEVADA, IOWA (Provider)

By:

Title: City Administrator

Dated: January 25, 2022

**RESOLUTION NO. 042 (2021/2022)**

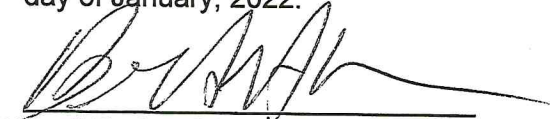
**A RESOLUTION APPROVING PROVIDER AGREEMENT WITH  
STORY COUNTY, IOWA AND CITY OF NEVADA, IOWA TO  
PROVIDE CONTENT FOR MONTHLY PRINT PUBLICATION**

WHEREAS, The City of Nevada (Provider) desires to enter into a Provider Agreement with Story County, Iowa, (County) to provide a monthly print publication *Our Nevada*; and

WHEREAS, the County will provide payment per the attached agreement; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Nevada, Story, County, Iowa, does hereby approve the Provider Agreement (Exhibit attached) between the City of Nevada and Story County. The City Administrator is hereby authorized to execute the agreement on behalf of the City.

PASSED AND APPROVED this 10<sup>th</sup> day of January, 2022.

  
Brett Barker, Mayor

ATTEST:

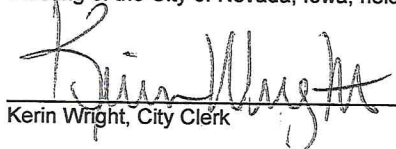
  
Kerin Wright, City Clerk

Moved by Council Member Dane Nealson, seconded by Council Member Steve Skaggs, that Resolution No. 042 (2021/2022) be adopted.

AYES: Nealson, Skaggs, Ehrig, Hanson, Mittman, Sampson  
NAYS: None  
ABSENT: None

The Mayor declared Resolution No. 042 (2021/2022) adopted.

I hereby certify that the foregoing is a true copy of a record of the adoption of Resolution No. 042 (2021/2022) at the regular Council Meeting of the City of Nevada, Iowa, held on the 10<sup>th</sup> day of January, 2022.

  
Kerin Wright, City Clerk